

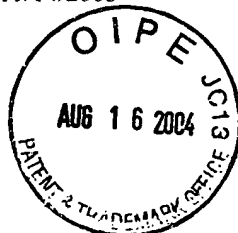


## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/714,079         | 11/14/2003             | Liise-anne Pirofski   | ABX-AE1 CON            |

1473  
 FISH & NEAVE  
 1251 AVENUE OF THE AMERICAS  
 50TH FLOOR  
 NEW YORK, NY 10020-1105



CONFIRMATION NO. 5765

## FORMALITIES LETTER



\*OC000000013358736\*

Date Mailed: 07/28/2004

## NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

### Filing Date Granted

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

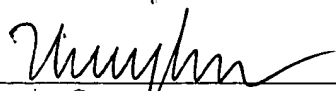
For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

EV270269625US

A handwritten signature in black ink, appearing to read "Munich", is written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Attorney Docket No. ABX-AE1 CON

Applicant(s) : Liise-anne Pirofski et al.  
Title : HUMAN ANTIPNEUMOCOCCAL ANTIBODIES  
FROM NON-HUMAN ANIMALS  
Application No. : 10/714,079 Confirmation No.: 5765  
Filed Date : November 14, 2003  
Group Art Unit : 1614  
Examiner : Not yet assigned

**Express Mail mailing label number EV270269625US**

**Date of Deposit August 16, 2004**

I hereby certify that this paper/fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Hon. Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Mail Stop Missing Parts.



**Claire J. Saintil-van Goodman**

Enclosures:

- 1) Transmittal Letter (in dupl.);
- 2) Response to Notice to Comply with Sequence Listing Requirements;
- 3) Copy of Notice to Comply;
- 4) Paper copy of Substitute Sequence Listing;
- 5) CRF copy of Substitute Sequence Listing;
- 6) Statements in support of Substitute Sequence Listing; and
- 7) Postcard.



ABX-AE1 CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Liise-anne Pirofski et al.  
Application No. : 10/714,079 Confirmation No. : 5765  
Filed : November 14, 2003  
For : HUMAN ANTIPNEUMOCOCCAL ANTIBODIES FROM  
NON-HUMAN ANIMALS  
Group Art Unit : 1614  
Examiner : Not yet assigned

New York, New York  
August 16, 2004

Mail Stop Missing Parts

Hon. Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

TRANSMITTAL LETTER

Sir:

Transmitted herewith: ☒ Response to Notice to Comply with Sequence Listing Requirements; ☒ Copy of Notice to Comply; ☒ paper copy of Substitute Sequence Listing (6 pp.); ☒ CRF copy of Substitute Sequence Listing; and ☒ Statements in support of Substitute Sequence Listing; to be filed in the above-identified patent application.

FEE FOR ADDITIONAL CLAIMS

☒ A fee for additional claims is not required.

☐ A fee for additional claims is required.

EV270269625US

The additional fee has been calculated as shown below:

|  | Claims<br>Remaining<br>After<br>Amendment |   | Highest<br>Number<br>Previously<br>Paid for |   | Present<br>Extra | Rate    | Fees     |
|--|---|---|---|---|------------------|---------|----------|
| TOTAL CLAIMS   | 40  | - | 40*   | = | 0                | x \$18  | = \$0.00 |
| INDEPENDENT<br>CLAIMS  | 8   | - | 8**   | = | 0                | x \$86  | = \$0.00 |
| FIRST<br>PRESENTATION OF<br>A MULTIPLE<br>DEPENDENT<br>CLAIM |   |   |   |   |                  | + \$290 | = \$0.00 |
|  |   |   |   |   |                  | TOTAL   | \$0.00   |

\* If less than 20, insert 20.

\*\* If less than 3, insert 3.

☐ A check in the amount of \$ \_\_\_\_\_ in payment of the filing fee is transmitted herewith.

☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 C.F.R. § 1.16, in connection with the paper(s) transmitted herewith, or credit any overpayment of same, to deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.

☐ Please charge \$ \_\_\_\_\_ to Deposit Account No. 06-1075 in payment of the filing fee. A duplicate copy of this transmittal letter is transmitted herewith.

#### EXTENSION FEE

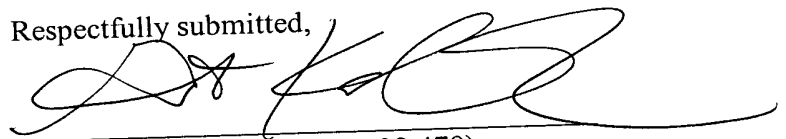
☐ The following extension is applicable to the Response filed herewith; ☐ \$110.00 extension fee for response within first month pursuant to 37 C.F.R. § 1.136(a); ☐ \$420.00 extension fee for response within second month pursuant to 37 C.F.R. § 1.136(a); ☐ \$950.00 extension fee for response within third month pursuant to 37 C.F.R. § 1.136(a); ☐ \$1,480.00 extension fee for response within fourth month pursuant to 37 C.F.R. § 1.136(a); ☐ \$2,010.00 within fifth month pursuant to 37 C.F.R. § 1.136(a).

☐ A check in the amount of ☐ \$110.00; ☐ \$420.00; ☐ \$950.00; ☐ \$1,480.00;  
☐ \$2,010.00 in payment of the extension fee is transmitted herewith.

☒ The Director is hereby authorized to charge payment of any additional fees required under 37 C.F.R. § 1.17 in connection with the paper(s) transmitted herewith, or to credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.

☐ Please charge the ☐ \$110.00; ☐ \$420.00; ☐ \$950.00; ☐ \$1,480.00; ☐ \$2,010.00; extension fee to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.

Respectfully submitted,



Jane T. Gunnison (Reg. No. 38,479)  
Attorney for Applicants  
Grant Kalinowski (Reg. No. 48,314)  
Agent for Applicants

FISH & NEAVE  
Customer No. 1473  
1251 Avenue of the Americas  
New York, New York 10020-1104  
Tel.: (212) 596-9000  
Fax: (212) 596-9090